REMARKS/ARGUMENTS

Group 1, Claims 1-15, 51 and 52, are elected for further examination.

Claims 16-50 were withdrawn from consideration and, accordingly, have been canceled herein.

Claims 1 and 12 have been amended.

Claims 1-11, 13-15 and 51-52 are rejected under 35 USC 103(c) over Scott et al (US 6,484,260) in view of Cambier et al (US 6,532,298 B1). The rejection is traversed.

Non-elected Claims 16-50 are canceled without prejudice. Claim 1 is amended as Claim 51 to recite that the power consumption of the sensor and processing unit together be no more than 1W peak power.

Claim 1 recites a biometric verification device that comprises a biometric sensor and a processing unit. The unit compares information representing the sensed biometric trait with biometric data stored in the processing unit and provides a verification signal. The processing unit completes the comparison and generates the verification signal within 20 seconds of when said biometric sensor senses said biometric trait using no more than 1W of peak power.

Scott at col. 10, lines 14-29 (relied on by the Examiner) states that verification takes about 1 second or less once the fingerprint template has been retrieved from storage.

Such is not the same as the verification of Claim 1 because when the biometric trait is sensed (Claim 1) is before when the fingerprint template has been retrieved from storage (Scott et al). For instance, it could take 20 seconds or more just to retrieve the enroller's fingerprint data from storage from Scott's device and, thus, take over 20

seconds to both retrieve the fingerprint template from storage and compare it to the sensed fingerprint and thus exceed the recitation of Claim 1.

The Office Action further concedes that Scott et al is silent as to power consumption. To make up for this deficiency, the Office Action proposes modifying Scott et al by Cambier et al.

However, Cambier et al is silent as to the power consumption of its processing unit. While its sensor may use 1 watt of power to illuminate the eye, such a sensor is not a processing unit and, thus Cambier et al is also silent as to its power consumption requirements for its processing unit.

In addition, both the sensor and processing unit consume power. Claim 51 of applicant's invention calls for "said sensor and said processing unit together consume no more than 1W peak power". Since Cambier uses 1W power just to power its illuminator, it necessarily has its sensor and processing unit together consuming more than one watt power and, thus, falls outside the scope of applicant's Claim 51.

As to whether the illuminator and the processing unit of Cambier operate in concert, i.e., at the same time, such is set forth in Cambier at col. 7 lines 24-29. Thus, whatever power is consumed by the processing unit to perform the instructions set forth at col. 7 lines 24-29 is added to the 1 Watt power consumption for the illuminator and thus is in excess of the claimed no more than 1 W peak of claims 1 and 51.

The Examiner's contention on page 5 of the Office Action that the illuminator 130 operating at approximately 1 watt of power as shown by Cambier et al somehow meets the claim language of applicant's Claims 1 and 51 is not understood. Surely the Examiner is not suggesting that a processing unit, which undertakes a comparison and

then generates a verification signal uses no power. Such a processing unit consumes a considerable amount of power -- any amount, when taken together with the 1W of power consumed by the Cambier et al sensor, exceeds 1W of peak power and, thus, falls outside the scope of applicant's Claims 1 and 51.

When considering the power consumption of a sensor and processing unit together, modifying Scott et al by Cambier et al would not be obvious. The power requirements for sensing fingerprints (Scott et al) are not necessarily the same as those for sensing iris patterns of the eye (Cambier et al).

That is, shining a 1 W light to illuminate fingerprints may or may not be sufficient to detect the ridges and valleys characteristic of fingerprints -- neither Scott nor Cambier teach a skilled artisan to exchange one for the other.

Page 6 (first full paragraph) of the Office Action attempts top justify making the combination, but neither Scott nor Cambier teach that power is the main part of a sensor for sensing power consumption. Even if a skilled artisan were to so realize, it is not seen how modifying a fingerprint sensor power requirement by those for iris pattern sensing would be obvious

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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